IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 7,436,454 B2
Issued: October 14, 2008
Name of Patentee: Takao Yamaguchi, et al.
Title of Invention: METHOD AND APPARATUS FOR TRANSMITTING
                    ENCODED INFORMATION BASED UPON PRIORITY
                    DATA IN THE ENCODED INFORMATION

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. § 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

  Attention: Certificate of Correction Branch

1. Attached is Form PTO/SB/44.

2. Correction of the Official Letters Patent is respectfully requested in view of the following
  text which appears correctly in the application file:

  On the Cover Page, at item (54), the word "PIORITY" in the title should read
  -- PRIORITY --, as indicated in the Amendment Under Section 1.312 filed July 23, 2008.

  On Page 2, at FOREIGN PATENT DOCUMENTS, insert -- JP   04-003684   1/1992 -- and
  -- JP 08-149420   06/1996 --, as indicated in the Supplemental Information Disclosure
  Statement filed November 1, 2007.

  On Page 2, at OTHER PUBLICATIONS, "Decision of Rejection for Japanese Application No.
  10-065582" should read -- Decision of Rejection for Japanese Application No. 10-065581
  --, as indicated in the Correction to Information Disclosure Statement filed September
  10, 2003.

  On Page 2, at OTHER PUBLICATIONS, insert -- Tatsuo Nakajima, "Continuous Media
  Objects with Media Scaling," Proceeding of the Internal Conference, 1998 --, as indicated
  in the Supplemental Information Disclosure Statement filed November 1, 2007.

  At Column 48, claim 12, "claim 11" should read -- claim 9 --, as indicated in the
  Preliminary Amendment filed June 20, 2008.

3.   Please send the Certificate to:

      Name: Lawrence E. Ashery
                     P.O. Box 980
                     Valley Forge, PA 19482
                     (610) 407-0700

Name of Assignee: Matsushita Electric Industrial Co., Ltd.

Assignment Recorded on: March 17, 1999

Reel: 010080

Frame: 0462

                                        Respectfully submitted,
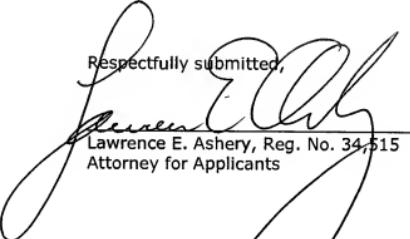
                                        _____
                                        Lawrence E. Ashery, Reg. No. 34,515
                                        Attorney for Applicants

LEA/dmw

Enclosures: Form PTO/SB/44
               Supporting Documents

Dated: December 11, 2008

   P.O. Box 980
   Valley Forge, PA 19482
   (610) 407-0700

363901

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:	10/626,075
Applicant:	Takao Yamaguchi, et al.
Filed:	July 24, 2003
Title:	METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION
T.C./A.U.:	2622
Examiner:	Victor R. Kostak
Confirmation No.:	9771
Docket No.:	MDA-2880US3

COPY

AMENDMENT UNDER SECTION 1.312

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Allowance dated July 15, 2008, please amend the above-identified application as follows:

☒　**Amendments to the Specification** begin on page **2** of this paper.

☐　**Amendments to the Claims** are reflected in the listing of claims which begins on page of this paper.

☐　**Amendments to the Drawings** begin on page ___ of this paper and include an attached replacement sheet(s).

☐　**Amendments to the Abstract** are on page ___ of this paper. A clean version of the Abstract is on page ___ of this paper.

☒　**Remarks/Arguments** begin on page **3** of this paper.

Amendments to the Specification:

Please replace the title with the following, which was amended by the Amendment filed on May 15, 2007:

METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION

COPY

Remarks/Arguments:

The Notice of Allowance dated July 15, 2008 contains a typographical error in the title. "PIORITY" should read -- PRIORITY - as indicated in the Amendment filed on May 15, 2007, namely:

METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION

Respectfully submitted,
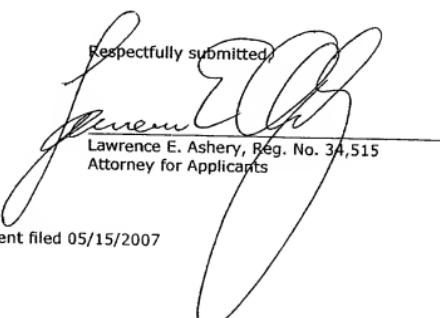
Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/dmw

Attachment: Copy/Page 2 of Amendment filed 05/15/2007

Dated: July 23, 2008

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

311591

Appln. No.: 10/626,075
Amendment Dated: May 15, 2007
Reply to Office Action of: February 15, 2007

MDA-2880US3

Amendments to the Title:

Please replace the Title with the following:

METHOD AND APPARATUS FOR ~~PROCESSING~~ TRANSMITTING ENCODED INFORMATION ~~BASED UPON A DATA SERIES, INCLUDING PROCESSING~~ PRIORITY DATA IN THE ENCODED INFORMATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/626,075
Applicants: Takao Yamaguchi et al.
Filed: July 24, 2003
Title: METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION
                 BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION
TC/A.U.:   2622
Examiner: Victor R. Kostak

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a and PTO/SB/08b submitted herewith. A copy of each reference listed on the PTO/SB/08a and PTO/SB/08b, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

1)   04-003684

2)   08-149420

References 1) and 2) are not in the English language but an English abstract thereof is attached to the copy of the references submitted herewith.

References 1) and 2) were cited by a foreign patent office in a counterpart foreign application. MPEP Section 609(a)iii, second paragraph.

- 1 -

PATENT

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,
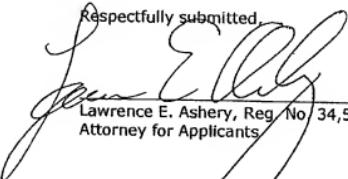
_____
Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/nm

Enclosures: PTO/SB/08a and PTO/SB/08b
(3) References

Dated: November 1, 2007

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

NM212404

		Complete if Known
	Application Number	10/626,075
INFORMATION DISCLOSURE	Filing Date	July 24, 2003
STATEMENT BY APPLICANT	First Named Inventor	Takao Yamaguchi et al.
(Use as many sheets as necessary)	Art Unit	2622
	Examiner Name	Victor R. Kostak
SHEET 1 of 2	Attorney Docket No.	MDA-2880US3

COPY

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number - Kind Code[2] (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] - Number[4] - Kind Code[5] (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
		JP 04-003684 (with English abstract)	01-08-1992	Matsushita Electric Industrial Co., Ltd.		
		JP 08-149420 (with English abstract)	06-07-1996	AT & T Corp.		
						☐
						☐
						☐
						☐
						☐

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.
[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6]Applicant is to place a check mark here if English language translation is attached.
The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

Complete if Known	
Application Number	10/626,075
Filing Date	July 24, 2003
First Named Inventor	Takao Yamaguchi et al.
Art Unit	2622
Examiner Name	Victor R. Kostak
Attorney Docket No.	MDA-2880US3

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		TATSUO NAKAJIMA, "Continuous Media Objects with Media Scaling," Proceedings of the Internal Conference, 1998.	☐
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			☐

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.
¹Applicant's unique citation designation number (optional).
²Applicant is to place a check mark here if English language translation is attached.
The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800 786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:   10/626,075
Applicant: T. Yamaguchi et al.
Filed: July 24, 2003
Title: METHOD AND APPARATUS FOR PROCESSING A DATA SERIES
                    INCLUDING PROCESSING PRIORITY DATA (AS AMENDED)

TC/A.U.:   To Be Assigned
Examiner: To Be Assigned
Confirmation No.:   To Be Assigned
Docket No.:   MDA-2880US3

CORRECTION TO
INFORMATION DISCLOSURE STATEMENT
FILED JULY 24, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

In the Information Disclosure Statement filed July 24, 2003, the following references were incorrectly cited.

1)   US 5,117,145:   The correct reference number is US 5,617,145; and

2)   Decision of Rejection for Japanese Application No. 10-065582 mailed January 7, 2003: The correct reference number is 10-065581.
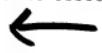
The enclosed Form 1449 previously submitted with the July 24, 2003, Information Disclosure Statement has been corrected.

This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,
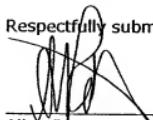
_____
Allan Ratner, Reg. No. 19,717
Jack J. Jankovitz, Reg. No. 42,690
Attorneys for Applicants

AR/fp

Enclosure: PTO Form 1449

Dated: September 10, 2003

Suite 301, One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.	I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
	September 10, 2003

PTO/SB/08A (AW 4/25/03) (04-03)
Approved for use through 04/30/2004. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for **Form 1449/PTO**	Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (*Use as many sheets as necessary*)	Application Number	To Be Assigned 10/624,073
	Filing Date	Herewith 7/24/03
	First Named Inventor	T. Yamaguchi et al.
	Art Unit	To Be Assigned
	Examiner Name	To Be Assigned
SHEET 1 of 3	Attorney Docket No.	MDA-2880US3

COPY

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.¹	Document Number — Number - Kind Code² (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US 6,094,457	07/00	Linzer et al.	Entire document.
		US 5,117,145 5,617,145	04/97	Huang et al.	Entire document.
		US 5,699,474	12/16/97	Suzuki et al.	Entire document.
		US 6,088,360 A	07/11/00	Amaral et al.	Entire document.
		US 5,512,939 A	04/30/96	Zhou	Entire document.
		US 5,231,492 A	07/27/93	Dangi et al.	Entire document.
		US 5,928,330 A	07/27/99	Goetz et al.	Entire document.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.¹	Foreign Patent Document — Country Code³ - Number⁴ - Kind Code⁵ (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁶
		JP 02-86241 (with English abstract)	03/27/90		Entire document.	☐
		JP 03-276941 (with English abstract)	12/09/91		Entire document.	☐
		JP 04-92536 (with English abstract)	03/25/92		Entire document.	☐
		JP 05-30138 (with English abstract)	2/5/93		Entire document.	☐
		JP 05-64167 (with English abstract)	3/12/93		Entire document.	☐
		JP 05-137125 (with English abstract)	6/1/93		Entire document.	☐
		JP 05-327758 (with English abstract)	12/10/93		Entire document.	☐
		JP 06-339137 (with English abstract)	12/06/94		Entire document.	☐
		JP 07-264573 (with English abstract)	10/13/95		Entire document.	☐
		JP 07-312756 (with English abstract)	11/28/95		Entire document.	☐
		JP 08-18524 (with English abstract)	01/19/96		Entire document.	☐
		JP 09-191453 (with English abstract)	07/22/97		Entire document.	☐
		JP 09-214447 (with English abstract)	08/15/97		Entire document.	☐
		JP 10-164530 (with English abstract)	06/19/98		Entire document.	☐
		JP 10-232658 (with English abstract)	09/02/98		Entire document.	☐
		JP 10-243374 (with English abstract)	09/11/98		Entire document.	☐

Examiner Signature		Date Considered	

Substitute for **Form 1449/PTO**					
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(Use as many sheets as necessary)*		*Complete if Known*			
		Application Number	To Be Assigned	10/626/075	
		Filing Date	Herewith	7/24/03	
		First Named Inventor	T. Yamaguchi et al.		
		Art Unit	To Be Assigned		
		Examiner Name	To Be Assigned		
SHEET 2 of 3		Attorney Docket No.	**MDA-2880US3**		

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number		Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code[2] (if known)				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[4]
		Country Code[3] – Number[4] – Kind Code[5] (if known)				
		JP 63-73786 (with English abstract)	4/4/88		Entire document.	☐
		JP 05-244435 (with English abstract)	9/21/93		Entire document.	☐
		JP 06-70307 (with English abstract)	3/11/94		Entire document.	☐
		JP 06-276480 (with English abstract)	9/30/94		Entire document.	☐
		JP 06-350649 (with English abstract)	12/22/94		Entire document.	☐
		JP 08-294123 (with English abstract)	11/5/96		Entire document.	☐
		JP 09-98430 (with English abstract)	4/8/97		Entire document.	☐
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Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.
[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901 04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6]Applicant is to place a check mark here if English language translation is attached.
The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (AW 4/25/03) (04-03)
Approved for use through 04/30/2004. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for Form 1449/PTO	Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(Use as many sheets as necessary)*	Application Number	To Be Assigned 10/626075
	Filing Date	Herewith 7/24/03
	First Named Inventor	T. Yamaguchi et al.
	Art Unit	To Be Assigned
	Examiner Name	To Be Assigned
SHEET 3 of 3	Attorney Docket No.	MDA-2880US3

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	✓	H. Shimamura et al., "A Modeling of Multimedia Presentation with Quality Control", Research Report of Information Processing Society, 94-DPS-66-20, pp. 115-120, July 8, 1994.	☐
	✓	S. Oh et al., "The QoS Architecture in the Distributed Multimedia System Symphony", Research Report of Information Processing Society, 95-DPS-70-7, pp. 39-44, May 25, 1995.	☐
	✓	Hiroshi Fujiwara "Saishin MPEG Kyokasho", ASCII, pp. 236-237, August 1, 1994 (with partial English translation).	☐
	✓	Notice of Reasons of Rejection for Japanese Application No. 2002-230064 mailed January 7, 2003 (with English translation).	☐
➡	✓	Decision of Rejection for Japanese Application No. 10-065582 mailed January 7, 2003 (with partial English translation). 10-065581	☐
	✓	K. Hashimoto et al., "QoS Guarantee Functions for Continuous Media Services", Research Report of Information Processing Society, Vol. 95, No. 61, 95-DPS-71, pp. 97-102, July 13, 1995.	☐
	✓	D. Horie et al., "Realization of An Audio Adjustment Mechanism Considering Environment in A Distributed Multimedia System", Research Report of Information Processing Society, Vol. 96, No. 20, 96-DPS-75, pp. 79-84, March 1, 1996.	☐
	✓	T. Yamaguchi et al., "Synchronized Audio and Visual Decoding and Transmission Scheme that is tolerant to Variation of Processing Environment", Research Report of Information Processing Society, Vol. 98, No. 15, 98-OS-77 and 98-DPS-87-, pp. 147-153, February 27, 1998.	☐
		T. Nakajima, "Operating System Supports for Continuous Media", ITE Technical Report Vol. 18, No. 39, pp. 43-48, July 7, 1994.	☐
		Notice of Reasons for Rejection mailed September 17, 2002 for a corresponding Japanese patent application.	☐
	✓	Latest MPEG Handbook", Ascii Corporation, Tokyo, 12/21/95, p. 102-107 and 236-237.	☐
	✓	Japanese language search report for Int'l Appln. No. PCT/JP98/01084 dated July 21, 1998.	☐
	✓	English translation of Japanese language search report.	☐

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.
[1]Applicant's unique citation designation number (optional).
[2]Applicant is to place a check mark here if English language translation is attached.

Appln. No.: 10/626,075
Amendment Dated June 20, 2008
Reply to Office Action of March 20, 2008

MDA-2880US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:	10/626,075
Applicants:	Takao Yamaguchi et al.
Filed:	July 24, 2003
Title:	METHOD AND APPARATUS FOR TRANSMITTING ENCODED INFORMATION BASED UPON PRIORITY DATA IN THE ENCODED INFORMATION
T.C./A.U.:	2622
Examiner:	Victor R. Kostak
Confirmation No.:	9771
Docket No.:	MDA-2880US3

COPY

PRELIMINARY AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Final Office Action dated March 20, 2008, please amend the above-identified application as follows:

☐   **Amendments to the Specification** begin on page   of this paper.

☒   **Amendments to the Claims** are reflected in the listing of claims which begins on page **2** of this paper.

☐   **Amendments to the Drawings** begin on page   of this paper and include an attached replacement sheet(s).

☐   **Amendments to the Abstract** are on page   of this paper. A clean version of the Abstract is on page   of this paper.

☐   **Remarks/Arguments** begin on page **8** of this paper.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. - 22. (Cancelled)

23.   (Currently Amended) A data processing apparatus configured for:

determining a priority threshold to achieve a desired transmission rate ~~of~~ for a stream of video or audio data comprising a header, a priority offset, and a plurality of portions of encoded information, the header including stream priority information comprising a stream priority and each portion of the encoded information including priority information comprising a priority for the each portion of the encoded information;

transmitting portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the transmitted portions of the encoded information satisfies the priority threshold and not transmitting other portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the other portions of the encoded information does not satisfy the priority threshold to thin the transmitted encoded information; and

when (1) an actual transfer rate of the transmitted portions of the encoded information exceeds a target transfer rate or (2) a decision is made that a writing of the portions of the encoded information into a transmitting buffer is delayed, the decision being based on a result of comparing an elapsed time after start of transmission with a time added to the encoded information, the added time indicating when the portions of the encoded information are to be decoded or output, adjusting the priority threshold to reduce a size of a further portion of the encoded information to be transmitted, thereby further thinning the encoded information that is transmitted.

24. - 58. (Cancelled)

59.   (Currently Amended) A data processing method comprising the steps of:

successively inputting priority offsets, classified time-series data, and encoded priority information for the time-series data, the encoded priority information comprising a priority for each inputted time-series data;

determining a threshold priority for retransmitting a requested portion of the time-series data;

transmitting the priority offsets, the classified time-series data, and the encoded priority information as a stream that includes a header comprising stream priority information comprising a stream priority;

receiving the stream;

when information in the stream is damaged or lost, requesting retransmission of time-series data corresponding to the damaged or lost information;

retransmitting the requested time-series data when a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information satisfies the threshold priority and not retransmitting the requested time-series data when a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information does not satisfy the threshold priority; and

when the transmitted time-series data is damaged or lost at a frequency exceeding a threshold value, adjusting the threshold priority to reduce an amount of the requested time-series data retransmitted.

60.   (Currently Amended) A data processing apparatus configured for:

receiving a stream of successive priority offsets, encoded time-series data, and encoded priority information comprising a priority for each received time-series data, the stream including a header comprising stream priority information comprising a stream priority;

determining a threshold priority for requesting retransmission of a portion of the received time-series data;

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when information in the stream is damaged or lost, requesting retransmission of time-series data corresponding to the damaged or lost information if a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information satisfies the threshold priority but not if a combination of the stream priority, one or more of the priority offsets, and the priority of the requested time-series data corresponding to the damaged or lost information does not satisfy the threshold priority; and

when information in the classified time-series data is damaged or lost at a frequency exceeding a threshold value, adjusting the threshold priority to reduce a frequency of retransmission requests issued.

61. (Currently Amended) A data processing method comprising the steps of:

successively inputting priority offsets, classified time-series data, and encoded priority information for the time-series data, the encoded priority information comprising a priority for each inputted time-series data;

determining a threshold priority for transmitting the time-series data to achieve a desired transmission rate;

transmitting, as a stream that includes a header comprising stream priority information comprising a stream priority, each of the priority offsets and the classified time-series data that comprises a priority that, in combination with the stream priority and one or more of the priority offsets, satisfies the threshold priority and not transmitting classified time-series data comprising a priority that, in combination with the stream priority and one or more of the priority offsets, does not satisfy the threshold priority; and

when an actual transmission rate exceeds the desired transmission rate, adjusting the threshold priority to thin out the transmitted stream.

62. (Currently Amended) A data processing apparatus configured for:

receiving a stream of successive priority offsets, encoded time-series data, and encoded priority information comprising a priority for each received time series data;

determining a priority threshold to achieve a desired transmission rate;

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transmitting, as a stream that includes a header comprising stream priority information comprising a stream priority, each of the priority offsets and the encoded time-series data that comprises a priority that, in combination with the stream priority and one or more of the priority offsets, satisfies the priority threshold and not transmitting encoded time-series data comprising a priority that, in combination with the stream priority and one or more of the priority offsets, does not satisfy the priority threshold; and

adjusting the priority threshold to thin out the transmitted stream to achieve the desired transmission rate when the desired transmission rate has not been achieved.

63. - 94. (Cancelled)

95. (Currently Amended) A data processing method comprising:

determining a priority threshold to achieve a desired transmission rate for a stream of video or audio data comprising a header, a priority offset, and a plurality of portions of encoded information, the header including stream priority information comprising a stream priority and each portion of the encoded information including priority information comprising a priority for the each portion of the encoded information;

transmitting portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the transmitted portions of the encoded information satisfies the priority threshold and not transmitting other portions of the encoded information when a combination of the stream priority, the priority offset, and the priority of the other portions of the encoded information does not satisfy the priority threshold;

when (1) an actual transfer rate of the transmitted portions of the encoded information exceeds a target transfer rate or (2) a decision is made that a writing of the portions of encoded information into a transmitting buffer is delayed, the decision being based on a result of comparing an elapsed time after start of transmission with a time added to the encoded information, the added time indicating when the portions of the encoded information is to be decoded or output, adjusting the priority threshold to reduce a size of a further portion of the encoded information to be transmitted, thereby further thinning the encoded information that is transmitted.

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96. (Previously Presented) The data processing apparatus of claim 23, wherein when a transmission rate exceeds a threshold value, an increased priority is given to the encoded information that should be transmitted in order to decrease the transmission rate.

97. (Previously Presented) The data processing method of claim 59, wherein when a loss rate of encoded information or a retransmission frequency exceeds a threshold value, an increased priority is given to the encoded information that should be retransmitted in order to decrease the loss rate or the retransmission frequency.

98. (Previously Presented) The data processing method of claim 61, wherein when a transmission rate exceeds a threshold value, an increased priority is given to the encoded information that should be transmitted in order to decrease the transmission rate.

99. (Previously Presented) The data processing apparatus of claim 23, wherein the encoded information is for I frame, P frame or B frame video data, and

the priority threshold is raised or lowered according to the priority information added to the encoded information.

100. (Previously Presented) The data processing apparatus of claim 23, wherein at least one of the stream priority and the priority for the each portion of the encoded information is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

101. (Previously Presented) The data processing method of claim 59 further comprising raising at least one of the stream priority and the priority for the each inputted time-series data when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

102. (Previously Presented) The data processing apparatus of claim 60, wherein at least one of the stream priority and the priority for the each received time-series data is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

103. (Previously Presented) The data processing method of claim 61 further comprising raising at least one of the stream priority and the priority for the each inputted

time-series data when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

104. (Previously Presented) The data processing apparatus of claim 62, wherein at least one of the stream priority and the priority for the each received time-series data is raised when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

105. (Previously Presented) The data processing method of claim 95 further comprising raising at least one of the stream priority and the priority for the each portion of the encoded information when at least one of a retransmission frequency and a loss rate of information exceeds a predetermined threshold.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO:	7,436,454 B2	Page 1 of 1
APPLICATION NO.:	10/626,075	
DATED:	OCTOBER 14, 2008	
INVENTOR(S):	TAKAO YAMAGUCHI, ET AL.	

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Cover Page

At item (54), the word "PIORITY" in the title should read -- PRIORITY --.

Page 2,

At FOREIGN PATENT DOCUMENTS, insert -- JP 04-003684 1/1992 -- and -- JP 08-149420 06/1996 --.

At OTHER PUBLICATIONS, "Decision of Rejection for Japanese Application No. 10-065582" should read -- Decision of Rejection for Japanese Application No. 10-065581 --.

At OTHER PUBLICATIONS, insert -- Tatsuo Nakajima, "Continuous Media Objects with Media Scaling," Proceeding of the Internal Conference, 1998. --.

Column 48

At claim 12, "claim 11" should read -- claim 9 --.

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